

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

KARLA PEREZ, *et al.*,

STATE OF NEW JERSEY,

Defendant-Intervenors.

Case No. 1:18-cv-00068

JOINT PROPOSED SCHEDULING ORDER

Pursuant to the Court’s November 29, 2022, Order [ECF No. 617], Federal Defendants, Plaintiffs State of Texas, et al., and Defendant-Intervenors Karla Perez, et al., and State of New Jersey (hereafter, “the Parties”), have met and conferred and hereby propose the following scheduling order:

December 16, 2022 – Deadline for Plaintiffs to file a supplemental complaint.

January 31, 2023 – Deadline for Plaintiffs to file a motion for summary judgment.

March 2, 2023 – Deadline for Federal Defendants and Defendant-Intervenors to file briefs in opposition of Plaintiffs’ motion for summary judgment and file any cross-motions for summary judgment.

March 16, 2023 – Deadline for Plaintiffs to file a reply in support of their motion for summary judgment.

March 30, 2023 – Deadline to file responses to any cross-motions for summary judgment.

April 6, 2023 – Deadline to file replies in support of cross-motions for summary judgment.

The Parties also move the Court to stay any potential response deadline to Plaintiffs’ supplemental complaint pending resolution of Plaintiffs’ summary judgment motion. The Parties are in agreement that the Court does not need to receive responses to Plaintiffs’ supplemental complaint in order to adjudicate summary judgment motions, and the Court can exercise its inherent authority to stay the answer deadline. *Harrison v. Tekoa Charter Sch., Inc.*, No. CV H-16-2037, 2017 WL 3671301, at *2 (S.D. Tex. Aug. 2, 2017) (“The district court has broad discretion in controlling its own docket.”) (quoting *Edwards v. Cass Cty.*, 919 F.2d 273, 276 (5th Cir. 1990)) (“This includes the ambit of scheduling orders and the like.”).

A proposed order is attached.

Dated: December 14, 2022

Respectfully submitted,

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Civil Division

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/s/ James J. Walker
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State of New Jersey

Counsel for Defendant-Intervenors

CERTIFICATE OF CONFERENCE

I hereby certify that on December 5-14, 2022, Federal Defendants conferred with counsel for the other parties. Plaintiffs, Defendant-Intervenors Karla Perez, et al., and New Jersey Defendant-Intervenors join the requested relief.

/s/ James J. Walker
JAMES J. WALKER

CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2022, I electronically filed the foregoing with the Clerk of the Court by using the Court's CM/ECF system. I also certify that the foregoing document is being served this day on all counsel of record either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ James J. Walker
JAMES J. WALKER